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			ATTORNEY DOCKET NO.	CONFIRMATION NO.
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR  Annel K. Greene	CXU-335	7750
09/983,012	10/18/2001	10	EYAN	MINER

04 15 2003

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Greenville, SC 29602

EXAMINER LILLING, HERBERT J

PAPER NUMBER ART UNIT

1651

DATE MAILED: 04/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.  Office Action Summary  The MAILING DATE of this communication appears on the cover sheet with the correspondence address —  Independence of the property of the cover sheet with the correspondence address —  Independence of the property of the property of the cover sheet with the correspondence address —  Independence of the property of the proper			Applicant(s)	
Disposition of Claim(s)		Application No.	<b>-</b>	
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THE Mixed stome may be available under being incommunication.  Exampliant North Stom for membrage assessments of supplications are not supplied to the proof of complete and supplicatio	eriod for Reply	PLY IS SET TO EXT. III	- be timely filed	
**Responsive to communication(s) filed on \$\overline{0.6 May 2002 and \$\overline{2.5}\$ July 2002 .  **Responsive to communication(s) filed on \$\overline{0.6 May 2002 and \$\overline{2.5}\$ July 2002 .  **This action is FINAL.**  **2b) This action is non-final.**  **2b) This action is non-final.**  **Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under \$Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  **Disposition of Claims**  **Apolication Selected Legislation is application.**  **Ap) Of the above claim(s)	THE MAILTING  Extensions of time may be available under the provisions of time may be available under the formular after SIX (6) MONTHS from the mailing date of this communication. after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above, the maximum statutory per if NO period for reply is specified above, the maximum statutory per if NO period for reply within the set or extended period for reply will, by straining the processed by the Office later than three months after the maximum statutory period processed by the Office later than three months after the maximum statutory period processed by the Office later than three months.	a reply within the statutory minimur priod will apply and will expire SIX is tatute, cause the application to be mailing date of this communication	n of thirty (30) days  (6) MONTHS from the mailing date  (6) MONTHS from the mailing date  come ABANDONED (35 U.S.C. §  even if timely filed, may reduce ar	ored timely. of this communication. 133). ny
2a)  This action is FINAL.  3  Since this application is in condition for allowance except for formal matters, ploadous closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. closed in Calamis () is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) is/are allowed.  6)  Claim(s) is/are objected to.  8)  Claim(s) is/are objected to.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filled on is/are: a) accepted or b) objected to by the Examiner.  11)  The proposed drawing correction filled on	Status	06 May 2002 and 24 Ju	11y 2002.	
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7)  Claim(s)	6) Claim(s)is/are rejected.			
Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☐ The drawing(s) filed on	7) Claim(s) is/are objected to.	and/or election requiren	nent.	
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Office ACTION Services	3) Information Disclosure Statement	Office Action Summ	ary	

Application/Control Number: 09/983,012

121:

- Receipt is acknowledged of the prior art information disclosure statement Art Unit: 1651 filed May 06, 2002 and the prior art information disclosure statement filed July 24, 2002.
  - Claims 1-51 are present in this instant application. 2.
  - Restriction to one of the following inventions is required under 35 U.S.C. 3.
    - Claims 1-19, drawn to a process for producing ethanol, classified in class ١. 435, subclass 161.
    - Claims 20-48, drawn to a process for producing methane, classified in 11. class 435, subclass 167
    - Claims 49-51, drawn to a process for producing a useful product, classified in class 435, numerous subclasses depending upon the useful III.

Essentially, Claim 49 may be considered to lack a suitable specific utility under 35 USC 101. Claims to useful product may be considered to not searchable and commensurate in scope with the specification. Applicant has an opportunity to elect any of the above Groups for examination.

The inventions are distinct, each from the other because each of the above these inventions is drawn to separate and patentably distinct methods. inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, have acquired a separate status in the art Application/Control Number: 09/983,012

Art Unit: 1651

because of their recognized divergent subject matter and the search required for one invention is not required for the other invention, thusly the restriction for examination

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purposes as indicated is proper.

4. The lengthy specification has not been checked to the extent necessary to

determine the presence of all possible minor errors. Applicant's cooperation is

requested in correcting any errors of which applicant may become aware in the

specification.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Examiner Lilling whose telephone number is** (703) 308-2034 and **Fax Number** is for applications **Before Final** (703) 872-9306 and **After Final** for applications is 703-872-9307 or SPE Michael Wityshyn whose telephone number is (703) 308-4743. Examiner can be reached Monday-Thursday from about 5:30 A.M. to about 3:00 P.M. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

H.J.Lilling: HJL (703) 308-2034 Art Unit <u>1651</u> April 14, 2003

Dr. Herbert J. Lilling Primary Examiner

Juliat \ Seren

Group 1600 Art Unit 1651